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7 **UNITED STATES DISTRICT COURT**  
8 **DISTRICT OF NEVADA**  
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10 ERNEST FRESQUEZ, JR.,

11 Plaintiff,

12 v.

13 NATIONSTAR MORTGAGE, LLC, *et al.*,

14 Defendants.  
15

Case No. 2:16-CV-01274-KJD-NJK

**ORDER**

16 On July 5, 2017, the Court granted Defendants' motion to enforce the settlement agreement.  
17 The Court ordered the parties to either file a signed and executed settlement agreement or for  
18 Plaintiff to vacate the property within thirty (30) days of payment being tendered. Plaintiff failed to  
19 execute the settlement agreement. Further Plaintiff's counsel informed Defendants that his client  
20 failed to maintain contact with his attorney and failed to abide by the orders of the Court.

21 On August 31, 2017, the Court ordered Plaintiff to show cause why his complaint should not  
22 be dismissed for failure to abide by the orders of the court and failure to prosecute. The Court warned  
23 Plaintiff that if he failed to respond, his complaint would be dismissed with prejudice. Though the  
24 time for doing so has passed, Plaintiff has failed to respond or otherwise show cause. Therefore, the  
25 Court dismisses Plaintiff's complaint for failure to abide by the orders of the Court and failure to  
26 prosecute.

1           Accordingly, IT IS HEREBY ORDERED that Plaintiff's Complaint (#1-2) is **DISMISSED**  
2 **with prejudice for failure to abide by the orders of the Court and failure to prosecute;**

3           IT IS FURTHER ORDERED that the Clerk of the Court enter **JUDGMENT** for Defendants  
4 and against Plaintiff.

5           DATED this 25<sup>th</sup> day of September 2017.

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Kent J. Dawson  
United States District Judge